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Date: February 8, 2001

Docket No.: 2565-0225P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/202,070 filed on December 8,
1998, the entire contents of which are hereby incorporated by
reference,
by

Shusou WADAKA; Koichiro MISU; Tsutomu NAGATSUKA; Tomonori KIMURA
and Shumpei KAMEYAMA

for

FILM ACOUSTIC WAVE DEVICE AND ITS MANUFACTURING METHOD AND
CIRUCIT DEVICE

1. Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if applicable).
2. The filing fee has been calculated as follows:

New Rule 53(b) Divisional
of SN 09/202,070
Docket No. 2565-0225P

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$710.00		\$355.00	
	NUMBER FILED	NUMBER EXTRA	RATE	Fee	RATE
TOTAL CLAIMS	43-20 =	23	x 18	= \$414.00	x 9 = \$0.00
INDEPENDENT CLAIMS	4-3 =	1	x 80	= \$80.00	x 40 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00	
		TOTAL	\$1,204.00	\$0.00	

3. A check in the amount of \$1,204.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. --This application is a continuation divisional continuation-in-part of co-pending Application No. , filed on , the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--
- b. --This application is a continuation divisional continuation-in-part of co-pending Application No. 09/202,070, filed on December 8, 1998 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/202,070 is the national phase of PCT International Application No. PCT/JP97/01442 filed on April 24, 1997 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. filed in on under 35 U.S.C. § 119.--

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6. Enclosed is/are thirty-three (33) sheet(s) of formal drawings and/or photographs.
- 7a. A statement claiming small entity status was filed in prior Application No. 09/202,070 on _____. See the attached copy of the statement claiming small entity status.
- 7b. The current application qualifies for small entity status.
8. The prior application is assigned to Mitsubishi Denki Kabushiki Kaisha.
9. A Preliminary Amendment is enclosed.
- 10a. Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.
- 10b. Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119 are hereby reclaimed.
11. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000
or
Customer No. 2292
13. An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/202,070 in order to establish co-pendency with the present application.

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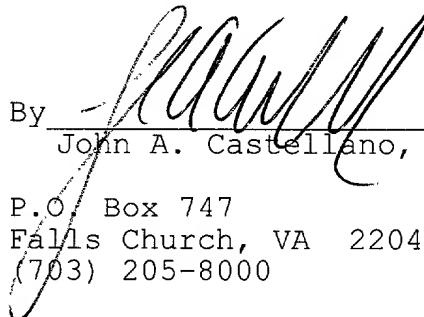
14. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


John A. Castellano, #35,094

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JAC/JWR:law
2565-0225P

Attachments

(Rev. 01/23/01)